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NEVADA BOARD OF PAROLE COMMISSIONERS

NOTICE OF INTENT TO ACT UPON A REGULATION

LCB File No. R018-08

Notice of Hearing for the Adoption and Amendment of Regulations of the Board of Parole Commissioners.

The Board of Parole Commissioners (Parole Board) will hold a public hearing at 9:00 AM, on April 1, 2008, at 1677 Old Hot Springs Road, Suite A, Carson City, NV 89706, video tele-conference to 4000 S Eastern Avenue, Suite 130, Las Vegas, Nevada 89119. The purpose of the hearing is to receive comments from all interested persons regarding the Adoption and Amendment of regulations that pertain to chapter 213 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need for and the purpose of the proposed regulation or amendment.

During the 2007 Legislative Session, new laws were passed that affect parole guidelines and the operation of the Parole Board in general. The proposed regulations establish new parole guidelines for use when a prisoner is considered for release on parole; set forth procedures regarding the statutory requirement to provide notice to the prisoner of a meeting to consider him for release on parole; provide for the delegation of the Board's authority to consider issues before the Board; set forth procedures regarding recommendations that might improve the possibility of parole at a subsequent hearing when parole is denied; set forth procedures regarding the granting of Mandatory Parole; and provide other matters properly relating thereto.

2. If the proposed regulation is a temporary regulation, either the terms or the substance of the regulations to be adopted, amended, or repealed, or a description of the subjects and issues involved. If the proposed regulation is a permanent regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation prepared by the Legislative Counsel pursuant to NRS 233B.063.

Interested persons may obtain a copy of the proposed regulation prepared by the Legislative Counsel pursuant to NRS 233B.063 at either office of the Parole Board. The Parole Board has offices located at 1677 Old Hot Springs Road, Suite A, Carson City, NV 89706, and 4000 S Eastern Avenue, Suite 130, Las Vegas, Nevada 89119. An electronic version will also be available on the Parole Board web site located at <http://parole.nv.gov>. Copies will be made available to the public upon receipt of the final version prepared by the Legislative Counsel, and mailed to any person who requests to

receive a copy of the regulation.

3. A statement identifying the methods used by the agency in determining the impact on a small business prepared pursuant to subsection 3 of NRS 233B.0608.

The agency considered whether any part of the proposed regulations would impact small business, to include: Whether the regulations imposed a fee on small business; whether small business would be required in any way to participate in the parole process; or if small business would be impacted in any way by the adoption of parole standards or the parole hearing procedures.

The agency determined that the proposed regulations would not impact small business.

4. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:

(a) Both adverse and beneficial effects;

Adverse effects: The proposed regulations do not appear to have any adverse economic effects.

Beneficial effects: The proposed regulations will assist the Parole Board in determining the risk of a prisoner to commit a new felony if released on parole. By identifying certain low risk inmates who are suitable for release, incarceration costs may decrease as suitable lower risk inmates are released sooner. By identifying high risk prisoners, the Board may deny parole which in turn reduces the risk of further criminal activity that may be perpetrated against the public.

Other beneficial effects include: Compliance with new statutory due process rights afforded to inmates. By adopting regulations that set forth procedures that comply with the new statutory process, occurrences of lengthy legal challenges pertaining to the parole hearing process may decrease.

(b) Both immediate and long-term effects.

Immediate effects: There are no known immediate economic effects.

Long-term effects: The potential reduction of incarceration costs of certain prisoners who may otherwise be denied parole and the potential reduction in costs of litigation which may arise without clear regulatory processes pertaining to parole hearings.

5. The estimated cost to the agency for enforcement of the proposed regulation.

The agency estimates that there are no additional costs as a result of the adoption of the proposed

regulation.

6. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The agency is unaware of any other federal, state or local governmental agency regulations that the proposed regulation may overlap or duplicate.

The proposed regulations may appear to overlap the guidelines for the tier assessment of sexual offenders, however, the parole guidelines are separate and apart from the tier assessment. A tier assessment is not performed prior to the consideration of a prisoner for release on parole. The new parole regulations apply to all offenders being considered for parole, not just sex offenders.

7. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The regulation is not required pursuant to federal law.

8. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.

9. Whether the proposed regulation establishes a new fee or increases an existing fee.

The proposed regulation does not establish a new fee or increase an existing fee.

Persons wishing to comment upon the proposed action of the Parole Board may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to Board of Parole Commissioners, 1677 Old Hot Springs Road, Suite A, Carson City, NV 89706.

Written submissions must be received by Board of Parole Commissioners on or before March 25, 2008. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board of Parole Commissioners may proceed immediately to act upon any written submissions. A copy of this notice and the regulation to be Adopted and Amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be Adopted and Amended will be available at 1677 Old Hot Springs Road, Suite A, Carson City, NV 89706, and 4000 S Eastern Avenue, Suite 130, Las Vegas, Nevada 89119, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours.

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This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary. Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption. This notice of hearing has been posted at the following locations:

Carson City Library
900 North Roop Street
Carson City, Nevada 89702

Mineral County Public Library
110 1st Street
Hawthorne, Nevada 89415

Churchill County Library
553 South Main Street
Fallon, Nevada 89406

Pershing County Library
1125 Central Avenue
Lovelock, Nevada 89419

Clark County District Library
833 Las Vegas Boulevard North
Las Vegas, Nevada 89101

Storey County Public Library
95 South R Street
Virginia City, Nevada 89440

Douglas County Library
1625 Library Lane
Minden, Nevada 89423

Tonapah Public Library
167 Central Street
Tonapah, Nevada 89049

Elko County Library
720 Court Street
Elko, Nevada 89801

Washoe County Library
301 South Center Street
Reno, Nevada 89501

Esmeralda County Library
Corner of Crook & 4th Streets
Goldfield, Nevada 89013

White Pine County Library
950 Campton Street
Ely, Nevada 89301

Humboldt County Library
85 East 5th Street
Winnemucca, Nevada 89445

Lander County Library
625 South Broad Street
Battle Mountain, Nevada 89820

Lincoln County Library
63 Main Street
Pioche, Nevada 89043

Lyon County Library
20 Nevin Way
Yerington, Nevada 89447

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